

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Richard Hill on April 11, 2008.

The application has been amended as follows:

In the specification at page 5 lines 16 and 17, each instance of "mooring guide" has been deleted and --hawser guide-- has been inserted therefore.

--45. (amended) A wave and tide actuated submersible pump for use in an open body of water, said wave and tide actuated submersible pump comprising a pump cylinder (7) having an open top end and a closed bottom end (13), said cylinder (7) is affixed to a structure located in an open body of water, [at least one] an inlet check valve (11) and [at least one] an outlet check valve (12) connected to openings in the pump cylinder (7) near the lower end of said cylinder (7), said inlet check valve (11) allowing for the intake of water from the body of water and said outlet check valve controlling the flow of water from the pump to a remote location, a ballast-weighted

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piston (8) vertically reciprocally movable within the pump cylinder (7) and forming a pump chamber defined by said cylinder walls, said ballast weighted piston and bottom end of said cylinder, said piston ballast weight is sufficient to pump the fluid in which it is contained while returning said piston to its' lowest point of travel, a buoy (1) connected to the ballast weighted piston (8) by a flexible connector (4) for driving the ballast weighted piston (8) on an upward stroke in response to wave action, said ballast-weighted piston being driven in a downward stroke under force of gravity, a means for restricting the upward stroke of the ballast-weighted piston (8) within the pump cylinder (7), a hawser guide and wear ring is mounted to the top open end of said pump cylinder, said flexible connector (4) passing through the top of said cylinder and said wear ring and being attached to the top of the ballast-weighted piston (8) at a first end and to a lifting eye of the buoy (1) at a second end.--

In claim 51, lines 1 and 2, after "wherein" "said mooring guide and wear ring (5) are mounted to the top open end of the pump cylinder (7)," has been deleted.

In claim 51, line 3 "mooring" has been deleted and --hawser-- has been inserted therefore.

In line 2 of claims 53, 54 and 57 "outlet check valve means" has been deleted and --the outlet check valve-- has been inserted therefore.

Claim 55 has been amended as follows:

--55. (amended) The wave actuated submersible pump of claim 45 where the water pumped by the submersible pump is salt water that is delivered by the outlet check valve [means] (12) to [pump salt water, creating] create a large body [bodies] of water [and seas] for the evaporation of said water thus forming moisture laden clouds [where the prevailing winds will blow these clouds to natural and man made barriers] resulting in [causing] rain [to] fall which can create [creating] new pasture and farmland (49) [whilst moderating the earth's climate (51); said additional moisture will cleanse the atmosphere and the whole cycle shall act as a radiator cooling the earth].--

Claim 56 has been amended as follows:

--56. (amended) The wave actuated submersible pump of claim 45 wherein the water pumped by the submersible pump is delivered by the outlet check valve [means] (12) to a desalination plant [desalinate water (47) using pumps] as a source of energy to extract fresh water from the saltwater.--

Claim 58 has been amended as follows:

--58. (amended) The wave actuated submersible pump of claim 45 wherein the water pumped by the submersible pump is delivered outside a levied area by the outlet check valve [means] (12) to claim land from the sea [by using these pumps with their suction] within the levied area[s, to pump water out of said levied area].--

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles G. Freay whose telephone number is 571-272-4827. The examiner can normally be reached on Monday through Friday 8:30 A.M. to 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Devon Kramer can be reached on 571-272-7118. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Charles G Freay/  
Primary Examiner  
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CGF  
April